

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL ACTION NO. 3:16-CV-00750-GCM**

**UNITED STATES,
*ex rel. Daniel Hayes, M.D.,***

Plaintiff,

v.

**CHARLOTTE MECKLENBURG
HOSPITAL AUTHORITY,**

Defendant.

ORDER

THIS MATTER is before the Court upon the Consent Motion to Seal (ECF Doc. 62) filed by Defendant The Charlotte-Mecklenburg Hospital Authority, d/b/a/ and n/k/a Atrium Health (“Atrium”).

When a party makes a request to seal judicial records, the Court must (1) give the public notice and a reasonable opportunity to challenge the request to seal; (2) “consider less drastic alternatives to sealing;” and (3) if it decides to seal, make specific findings and state the reasons for its decision to seal rather than choosing other alternatives. *Virginia Dep’t of State Police v. Washington Post*, 386 F.3d 567, 576 (4th Cir. 2004). In accordance with the law of this Circuit as well as the Local Rules, the Court has considered the Motion to Seal, the public’s interest in access to such materials, and alternatives to sealing. The public has been provided with adequate notice and an opportunity to object to the Motion to Seal. Defendant Atrium filed the Motion to Seal on March 12, 2021, and it has been accessible to the public through the Court’s electronic case filing system since that time. The Court determines that no less restrictive means other than sealing is sufficient because a public filing of such materials would include files related to confidential

personnel records, proprietary business information, and/or protected health information of non-parties. The Court concludes that the sealing of these documents is narrowly tailored to serve the interest of protecting such confidential, proprietary, and protected information.

IT IS THEREFORE ORDERED that the Consent Motion to Seal filed by Defendant The Charlotte-Mecklenburg Hospital Authority, d/b/a/ and n/k/a Atrium Health (ECF Doc. 62) is hereby **GRANTED**.

SO ORDERED.

Signed: March 15, 2021

A handwritten signature in black ink, reading "Graham C. Mullen", written over a horizontal line.

Graham C. Mullen
United States District Judge

